

**UNITED STATES BANKRUPTCY COURT
FOR THE WESTERN DISTRICT OF NORTH CAROLINA
CHARLOTTE DIVISION**

FILED
U.S. Bankruptcy Court
of NC

NOV - 2 2018

Steven T. Salata, Clerk
Charlotte Division *CSH*

In Re:)
)
Ace Motors Acceptance Corporation,)
)
Debtor.)
)
)
)
)

**Chapter 11
Case No. 11-30426**

Ace Motors Acceptance Corporation,)
)
Plaintiff.)
)
v.)
)
McCoy Motors, LLC)
McCoy Motors, LLC, d/b/a Ride Fast)
)
Defendants.)

**Adversary Processing
No. 18-03036**

**DEFENDANT, MCCOY MOTORS, LLC;
MCCOY MOTORS, LLC d/b/a RIDE FAST
RESPONSE TO HENDERSON ATTORNEY FEES**

**DEFENDANTS RESPONSE TO JIM HENDERSON ATTORNEY FEES RELATED TO ENFORCEMENT
OF THE ORDERS DATED JUNE 25TH, 2018 AND AUGUST 1ST, 2018**

NOW COMES the defendants/Creditors MCCOY MOTORS, LLC; MCCOY MOTORS, LLC d/b/a RIDE FAST; ROBERT MCCOY; AND MISTY MCCOY ("Defendant"), in this action who hereby responds specifically to the Plaintiff Debtor's ("Plaintiff") Attorney Cost and Fees.

Plaintiff Ace Motor Acceptance Corporation (ACE) knew of Jim Henderson and the Henderson Law Firms fees and cost of \$450 per hour before doing business with him before signing him on as their attorney. Defendants feel they are not responsible for the fees and cost that the Plaintiff has accrued in this hearing. The Plaintiff knew the likely charges that would be charged and should be responsible for the charges by their attorney. We are in this venue because of the Plaintiff's actions. Otherwise we would likely be in State Court where the Attorney's fees are likely 50-70% cheaper than that of Jim Henderson. Plaintiffs knew Jim Henderson fees and were asked by the Defendants and the court on several occasions to negotiate a deal to help end this matter faster (these request are even stated in the bill). Every time the subject was brought up before the Plaintiff the request fell on deaf ears. With the courts blessing, we would prefer attorney fees to be decided in mediation or by a jury or dismissed all together.

In Jim Henderson's 95 page bill he states a sum of \$70,792.75 is the sum he charged his clients ("Plaintiffs") to enforce the June 25th, 2018 and the August 1st, 2018 orders. Any and all charges his client were and will be charged are the fees of their attorney and therefore should be paid by them. Jim Henderson states in his 95 page bill charges such as emails and telephone calls with McCoy's other Floorplans such as Nextgear, Auto Use, and AFC which have nothing to do with the case against ACE and McCoy. As well as and email dated September 19th, 2018 about a lawsuit filed in Dallas from James Erdle. Jim Henderson also charged his client for an email from Kris Lang about the death of her father.

Judge Whitley ordered Jim Henderson to provide a copy of his bill to the court on September 26th, 2018, yet it was not entered until October 26th, 2018 and when it was filed it has charges going beyond the hearing date it was ordered to be filed. A total of \$11,261.50 was added to the bill after the court date of September 26th, 2018 where Jim Henderson was ordered to provide his bill.

Defendants feel this bill/charges are extreme and go beyond the scope of the case at hand. Defendants feel Jim Henderson was looking for ways to make this bill large and over the top for what the case called for, and his clients are being taken advantage of. We ask the court to dismiss the charges for the Defendants to pay these extreme and unnecessary charges that go way beyond the scope of the case at hand

CERTIFICATE OF SERVICE

This is to certify that I have this day served a copy of the attached DEFENDANT'S REPLY TO VERIFIED COMPLAINT via Clerk of Court via to all parties or their attorney of record requesting notice and via email to the following:

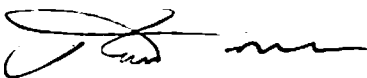
This the 1st day of November, 2018.

McCoy Motors, LLC
mccoymotors@live.com
mnmccoy@hotmail.com
robmccoymotors@comporium.net

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Respectfully submitted this 2nd day of November 2018



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